

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263.

REMARKS

Claims 1-4 have been cancelled and claims 5-11 have been added. Claims 5-11 are now pending. It is believed that no new matter has been added. (Note: Support for the limitation "glycerol in an amount up to 5% by weight based on the total weight of the composition" can be found in Examples 1-7.

Claims 5-11 correlate to the subject matter of original claims 1-4. It is believed that these new claims address the objections and 112, second paragraph rejections raised in the first office action. If not, the applicants' request that the examiner suggest acceptable language.

35 U.S.C. 102(b) and (e) rejections

Original claims 1-4 were rejected by the examiner as being anticipated over Hart et al., Randen, Knowles, Jr. et al. or Thomas et al.

Original claims 1-4 were rejected by the examiner as being anticipated over Kaplan or McShane et al.

While the applicants disagree with the examiner's assessment of the emulsifiers used in the cited references, in the interest of expediting prosecution, the glycerol limitation mentioned above has been added to the independent claim 5. None of the cited references disclose this limitation.

Closing

Applicants believe that this application is in condition for allowance. However, should any issue(s) of a minor nature remain, the Examiner is respectfully requested to telephone the undersigned at telephone number (212) 808-0700 so that the issue(s) might be promptly resolved.

Early and favorable action is earnestly solicited.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that the foregoing Amendment under 37 CFR § 1.111 is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Hon. Commissioner of Patents, Washington, D.C. 20231, on the date indicated below:

Date: 17 September 2001

By Howard C. Lee
Howard C. Lee